

<b>Application No.</b> 10/827,554	<b>Applicant(s)</b> WORKENS	
	<b>Examiner</b> Daniel I. Walsh	<b>Art Unit</b> 2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4-23-07.
2. ☒ The allowed claim(s) is/are 1,3,7-9,11,14,25-33,35-39,41,53,55,57-63 and 65-73.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>9-07</u> |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                   |
|  | 9. <input type="checkbox"/> Other _____  |

### DETAILED ACTION

1. Receipt is acknowledged of the RCE received on 4-23-07.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Monica Workens on 9-14-07.

The application has been amended as follows:

Replace claim 1 with:

1. A method of funding a transaction between a customer account and a merchant account, comprising: a customer receiving a communication of an amount for a purchase from the merchant, loading into a card reading terminal, a card of a customer to be used to complete the transaction, the card including a plurality of account identifiers of different accounts stored in a memory of the card, which can be used to fund a transaction, the account identifiers being stored in the memory by either scanning a document containing account identifier barcodes or by a card reader copying account identifiers from a magnetic strip of a different customer card into the card memory, verifying the customer through input of a Personal Identification Number (PIN)

into the card reading terminal, selecting, by the verified customer, one of the accounts to be used for the transaction, the selection causing an associated server of the account to be contacted through a network, the associated server for the selected account causing the displaying of a prompt and real time information on the card reading terminal for the user to initiate the transaction, and transferring funds, directly, in real time, from the selected account on the card to the merchant account, without the funds undergoing further processing, clearing, or verification by an intermediate or third party before the funds are transferred, to pay the merchant account to complete the transaction, whereby the customer and merchant directly settle through their own bank, the respective side of the transaction, and wherein the memory of the card stores account identifiers of accounts of merchants on the cards, permitting the direct and real time transferring of funds to occur.

Cancel claims 2, 4-6, 10, 13, 16-17,

Replace claim 3 with:

3. The method of claim 1, wherein the account identifiers of accounts of merchants are receive from the card or provided by the institution directly.

Claims 7-9, 11, 14, and 17: Replace "The method..., wherein" with – The method of claim 1, wherein...

Replace claim 25 with:

25. A point of sale transaction system for funding a transaction between a customer and a merchant comprising: a point of sale terminal having a card reader to read a card of the customer, the card including a plurality of account identifiers of different accounts stored in a memory of the card which can be used to fund a transaction, a barcode reading device or a card reading device for storing the account identifiers in the memory by either scanning a document containing account identifier barcodes or by a card reader copying account identifiers from a magnetic stripe of a different customer card into the card memory, each account identifier being associated with an account from which funds can be transferred to fund a transaction, the point of sale terminal operable to permit the customer to select an account associated with one of the plurality of account identifiers stored on the card after customer verification by Personal Identification Number (PIN) entry into the point of sale terminal, displaying a prompt and real time account information to a customer whereby a customer selects an account to fund the transaction, a server connected to the point of sale terminal via a network, and operable, in response to a signal, to transfer funds in real time from the selected account of the customer to an account of the merchant to complete the transaction, whereby the customer and merchant each settle their side of the transaction directly through their own bank, and wherein funds are transferred directly from the customer account to the merchant account without the funds undergoing further processing, clearing or verification by an intermediate or third party before funds are transferred, and wherein the memory of the card stores account identifiers of accounts of merchants on the cards, permitting the direct and real time transferring of funds to occur.

Application/Control Number: 10/827,554

Art Unit: 2876

Page 5

D. Walsh

Cancel claim 34

Re claim 35: Replace “first account and second or receiving account” and “different account” with – funding account and merchant account – and – different financial institution –

Re claim 36: Replace “first accounts” and “second account” with – funding accounts’—and – merchant account --.

Re claim 37: Replace “first accounts” and “second account” with – funding accounts’—and – merchant account --.

Re claim 38: Replace “first accounts” and “second account” with – funding accounts’—and – merchant account --.

Re claim 39: Replace “first accounts” and “second account” with – funding accounts’—and – merchant account --.

Cancel claim 40

Replace claim 41 with:

41. The system of claim 25, where the network can include a wide area network (WAN).

Cancel claims 42-52.

Replace claim 53 with:

53. The method of claim 1 wherein funding a transaction comprises the customer to authorize the transfer of funds by entering a PIN to conduct a banking or non-banking transaction.

Cancel claim 54 and 56

Re claim 59-62: Replace "second account" with – merchant account --.

Cancel claim 64

Replace claim 65 with:

65. A computer readable medium encoded with a computer program product for facilitating the funding of a truncation between customer and merchant accounts, the computer program product being tangibly stored on a point of sale machine and at servers of the merchants comprising instructions operable to cause one or more processors to: store a plurality of account identifiers of a plurality of accounts usable by a customer to fund a transaction, into a memory of a card of the customer by either scanning a document containing account identifier barcodes or by a card reader copying account identifiers from a magnetic strip of a different customer card into the card memory; accept a selected account identifier stored in memory on a card presented by a user to fund a transaction; facilitate access to the selected customer account by verification

of a customer through a Personal Identification Number (PIN) entry; receive real time information, including account balances associated with the account identifier; receive a command to complete a transaction and receive information on the amount required to complete the transaction, and responsive to the request of the card user, directly send the information to facilitate the transfer of funds in real time from the chosen account to a merchant account to complete a transaction; provide individual and aggregated account transaction information completed through the system; transfer funds in real time from the selected account of the customer to an account of the merchant to complete the transaction, whereby the customer and merchant each settle their side of the transaction directly through their own bank; transfer funds directly from the customer account to the merchant account without the funds undergoing further processing, clearing or verification by an intermediate or third party before funds are transferred, wherein the memory of the card stores account identifiers of accounts of merchants on the cards, permitting the direct and real time transferring of funds to occur.

Replace claim 70 with:

70. The product of claim 65, further providing a transaction and authorization number for each transaction.

Replace claim 71 with:

71. The method of claim 1, whereby the merchant credits at least a portion of the funds to the users chosen account.

Re claims 72-73: Replace "non-user" with -- merchant --.

*Allowable Subject Matter*

3. Claims 1-3, 7-9, 11, 14, 25-33, 35-39, 41, 53, 55, 57-63, and 65-73 and are allowed.

The following is an examiner's statement of reasons for allowance: The prior art fails to teach the limitations of the independent claims including the direct transfer means as specified in the claims in addition to the cards storing user and merchant account/account identifiers.0

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (See PTO 892).

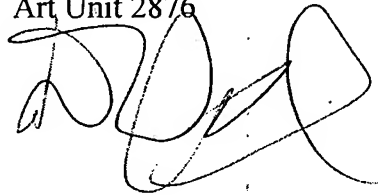
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel I. Walsh whose telephone number is (571) 272-2409. The examiner can normally be reached on M-F 7:30-4:00.

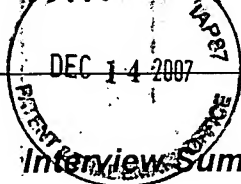
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel I Walsh  
Examiner  
Art Unit 2876

A handwritten signature in black ink, appearing to be 'D. Walsh', written over the printed name and title.



<b>Interview Summary</b>	<b>Application No.</b> 10/827,554	<b>Applicant(s)</b> WORKENS	
	<b>Examiner</b> Daniel I. Walsh	<b>Art Unit</b> 2876	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Daniel I. Walsh. (3) \_\_\_\_\_  
(2) Monica Workens. (4) \_\_\_\_\_

Date of Interview: 14 September 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: N/A.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Monica Workens agreed to the proposed changes (see attached) to place the application in better condition for allowance.

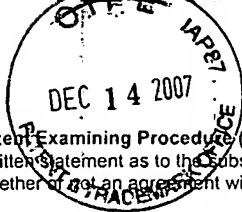
(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
MICHAEL G. LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required.



## Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR § 1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



# Notice of References Cited

Application/Control No.

1

Applicant(s)/Patent Under  
Reexamination  
WORKENS

Examiner

Daniel I. Walsh

Art Unit

2876

Page 1 of 2

## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,974,146 A	10-1999	Randle et al.	705/77
*	B	US-2002/0077977 A1	06-2002	Neely et al.	705/40
*	C	US-2002/0116304 A1	08-2002	Casper et al.	705/35
*	D	US-2003/0023498 A1	01-2003	Benton, William M.	705/26
*	E	US-2003/0046224 A1	03-2003	Mujtaba et al.	705/39
*	F	US-2003/0126075 A1	07-2003	Mascavage et al.	705/39
*	G	US-2003/0154164 A1	08-2003	Mascavage et al.	705/39
*	H	US-2003/0200179 A1	10-2003	KWAN, KHAI HEE	705/65
*	I	US-2003/0233325 A1	12-2003	Belyi, Boris	705/42
*	J	US-2004/0030605 A1	02-2004	Ling, Marvin T.	705/26
*	K	US-2004/0088248 A1	05-2004	Cutler, Justine	705/038
*	L	US-2004/0111367 A1	06-2004	Gallagher et al.	705/039
*	M	US-2005/0108157 A1	05-2005	Bushman et al.	705/040

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

**Notice of References Cited**

Application/Control No.

10/827,554

Applicant(s)/Patent Under  
Reexamination  
WORKENS

Examiner

Daniel I. Walsh

Art Unit

2876

Page 2 of 2

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2005/0192895 A1	09-2005	Rogers et al.	705/039
*	B	US-2005/0279827 A1	12-2005	Mascavage et al.	235/380
*	C	US-2006/0149665 A1	07-2006	Weksler, Michel	705/038
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.